

FILED

SEP 24 2008

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND-ODESSA DIVISION**

**CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY CA
DEPUTY CLERK**

UNITED STATES OF AMERICA

V.

MICHAEL TIMOTHY LONG

)
)
)
)
)

CR. NO. MO-08-CR-151

FACTUAL BASIS

If this case had gone to trial, the Government would have proven the following beyond a reasonable doubt:

On or about July 10, 2008, in the Western District of Texas, the Defendant, MICHAEL TIMOTHY LONG, knowingly sent, via the internet, obscene matter, to wit: a picture of an adult erect penis, to a girl he knew had not yet attained the age of 16 years. The defendant knew this girl, as she was his child's babysitter, and was aware that she was only 14 years old at the time of this offense.

Michael Timothy Long
MICHAEL TIMOTHY LONG
Defendant

Michael McLeaish
MICHAEL MCLEAISH
Attorney for Defendant

JOHNNY SUTTON
UNITED STATES ATTORNEY

Date: 9-24-08

By:

FOR

Kerry Ann Fleck
KERRY ANN FLECK
Assistant United States Attorney
400 West Illinois, Suite 1200
Midland, Texas 79701